REMARKS

The office action of December 31, 2003, has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1, 3, 5 through 11, and 13 and 14 remain in this case, claim 12 being cancelled by this response.

Preliminary Comments

a. The numbered paragraphs below correspond to the numbered paragraphs in the Office Action.

b. The claims were amended to clarify that the invention is directed to a system for producing personalized recommendations based on user profiles, rather than comparisons between products, as such. No new matter was introduced.

Rejection(s) under 35 U.S.C. §102

3. Claims 1, 3, and 5-14 were rejected under 35 U.S.C. 102(e) as being anticipated by Tavor, US# 2001/0032077

As a preliminary comment, the independent claims 1 and 8 in the present application, as amended, clearly require that the method of the invention "prepare a <u>personalized recommendation of a product</u> featuring dynamically generated fluent text that is used to convey <u>a</u> product <u>analysis</u> and <u>recommendation tailored to the user requirements and preferences</u>" by the combination of generic phrases, feature text snippets and <u>user text snippets</u>. *(quoted from claim 8, step d as presently amended - claim 1, step c is equivalent)*. Neither the Tavor application, nor any other reference currently or previously cited by Examiner or known to Applicants shows or suggests the features of Applicant's method.

Tavor is a program which uses natural language to directly compare two products which are selected from a group of products. Standard texts and relative statements are combined into sentences which compare selected products in a form such as, "bigger than..." or "rather sweet", or "a bit smaller than..." (paragraph [0021]). The Tavor specification is strictly described in terms of an algorithm to return a textual <u>comparison between specified products</u> based on a relation between the products.

Tavor neither uses nor suggests the use of user profiles or user text snippets, nor does Tavor provide recommendations of a product using these snippets and generic text to produce a personalized recommendation for a product. There is nothing in "cmp_data(Topic, Value, ProductName)" which has any relation to specific users or their preferences or profiles.

In making the rejection, the Examiner stated "As per claims 1, 3 and 13-14, Tavor teaches ... 'developing user profile text snippets . . . generic phrases . . . a comparison guide for the product features ...' (see page 4, paragraphs [0049]-[0052])." Applicant respectfully disagrees, both in relation to the claims as originally filed and to the current claims, which no longer have the "comparison guide" language.

The cited paragraphs in Tavor ([0049] to [0052]) do not describe or suggest the use or existence of user profile text snippets. Paragraph [0049] just describes replacing variables and constructing strings in the abstract. Paragraph [0050] indicates that the data passed to the routine "Update_Compare_Text" is a string processed by the routine described in the last paragraph, a list of products, and a string representing the type of information in the previous string ("similar products", "additional info for products", etc.). Paragraph [0051] describes how strings are strung together to form a unified sentence (i.e. if the string "p1 is bigger than p2" is added to an existing string "p1 and p2 are big", the result is "Although both p1 and p2 are big, p1 is bigger than p2".) Paragraph [0052] names the main procedure of the program, and indicates that it calls the other processes described earlier.

As can be seen, none of the necessary components of Applicant's method - user text snippets, user profiles, personalized recommendations based on user requirements and preferences from user profiles - are even hinted at in these paragraphs (or anywhere else in Tavor).

Therefore, it is respectfully suggested that the rejection of independent claims 1 and 8 as being anticipated by Tavor is overcome. Dependent claims 3, 5-7, 9-11, and 13-14, being dependent upon and further limiting independent claims 1 and 8, should also be allowable for that reason, as well as for the additional recitations they contain. Reconsideration and withdrawal of the rejection are respectfully requested.

The Examiner stated that "As per claims 5, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:--Tavor teaches "testing the user profile text snippets" (see page 5, paragraphs [0057]-[0059])." Again, there is nothing in these paragraphs which mentions user profile text snippets at all, much less testing them. The claim should be allowable for the same reasons as claim 1 on which it depends, plus the additional limitation it contains.

The Examiner also stated, "As per claim 6, Tavor teaches "providing access to the product comparison ..." (see page 4, paragraphs [0058]-[0059]). This is correct, however the claims, as amended, do not involve providing access to product comparisons, but to personalized recommendations as claimed in claim 1 on which claim 6 depends. The claim should be allowable for the same reasons as claim 1 on which it depends, plus the additional limitation it contains.

The Examiner also stated, "As per claim 7, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following: --Tavor teaches "a computer network . . ." (see abstract)." Tavor does teach a computer network, but that is only the first part of claim 7. The entire claim must be considered in the comparison to Tavor, and Tavor does not teach "providing customers with product recommendations over a computer network, by combining the generic phrases with feature text snippets and user profile text snippets to produce personalized recommendations for the products featuring dynamically generated fluent text that conveys product analyses and recommendations tailored to the user requirements and preferences." The claim should be allowable for the same reasons as claim 1 on which it depends, plus the additional limitation it contains.

The Examiner also noted, "As per claims 8-12, these claims are rejected on grounds corresponding to arguments given above for rejected claims 1-7 and are similarly rejected including the following: Tavor teaches "display and explanation of a comparison between several products" (see page 4, paragraphs [0050]-[0051])"

For the reasons cited above, claim 8, as amended, is allowable over Tavor. Additionally, the method in the claims, as amended, no longer claims comparison between several products.

8

Reconsideration and withdrawal of the rejections is respectfully requested.

Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

Respectfully Submitted:
David Caldwell, Michael White and Tanya Korelsky

By:_____
    Michael F. Brown, Reg. No. 29,619
Attorney for Applicant

BROWN & MICHAELS, P.C.
400 M&T Bank Building - 118 N. Tioga St.
Ithaca, NY 14850
(607) 256-2000 ● (607) 256-3628 (fax)
e-mail: docket@bpmlegal.com
Dated: March 11, 2004